

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARY FRINTNER,

:
Plaintiff, : **CIVIL ACTION**

v.

:
No.: 2:11-cv-03454-GP

TRUEPOSITION, INC.,

:
Defendant. :

STIPULATION OF UNCONTESTED FACTS

Pursuant to Local Rule of Civil Procedure 16.1(d)(2)(b)(2), the parties, by and through their undersigned counsel, stipulate to the following undisputed facts:

1. Defendant TruePosition, Inc. is a wholly-owned subsidiary of Liberty Media Corporation. Its headquarters are in Berwyn, Pennsylvania.
2. TruePosition is a provider of location system technologies used by businesses and government agencies around the world.
3. Plaintiff Mary Frintner first worked as a contractor at TruePosition from January 2005 until the summer of 2005 in its Documentation Department. In December 2005 she was hired as a full-time employee in TruePosition's Documentation Department and assigned the position of Technical Writer.
4. Ms. Frintner was continuously employed by TruePosition until she was separated from employment on August 3, 2009. Her job title at the time of her separation was Senior Technical Writer.

5. During her employment with TruePosition, Ms. Frintner first reported to Ron Enfield, the Manager of the Documentation Department; then to Steve Maiorano, the Manager of the Documentation and Training Department; and finally, to Steve Straight, the Director of Technical Publications and Training.

6. At all relevant times, Steve Picciocchi has been the Director of Human Resources for TruePosition.

7. Since January 2008 Alan Larrabee has been the Vice President of Research and Development for TruePosition. In that capacity he has had oversight over the Documentation Department where Ms. Frintner worked.

8. Mr. Larrabee made the decision to separate Ms. Frintner from employment in 2009.

9. Since 2006 Craig Waggy has been the Chief Financial Officer of TruePosition.

10. At all relevant times, Stephen Stutt has been the Chief Executive Officer of TruePosition.

11. Mr. Larrabee hired Steve Straight in April 2008 to run the Documentation and Training Department. Mr. Larrabee had previously worked with Mr. Straight at another company, Openwave.

12. Mr. Straight was hired as the Director of Technical Documentation and Training.

13. In February 2009 Ms. Frintner was given her 2008 performance review by Mr. Straight. She was rated “Exceeds Expectations”.

14. Mr. Straight had budgeted both Ms. Frintner and Mr. Derek Fess for promotions during 2009.

15. On August 3, 2009, TruePosition separated Ms. Frintner from employment.

16. During the course of Ms. Frintner’s employment at TruePosition, she was given generally positive feedback and her performance reviews generally reflected the same.

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